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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,673	12/08/2003	Tung-Lung Lin	10113431	4815

34283 7590 09/29/2005

QUINTERO LAW OFFICE
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SANTA MONICA, CA 90404

EXAMINER

BLOUIN, MARK S

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/730,673	Applicant(s) LIN ET AL.	
	Examiner Mark Blouin	Art Unit 2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,7,9-11,14,16 and 18 is/are rejected.
- 7) ☒ Claim(s) 3,4,6,8,12,13,15 and 17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Examiner's Drawing

Detailed Action

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,2,5,7,9-11,14,16, and 18 are rejected under 35 U.S.C. 102 (b) as being anticipated by Clurman (USPN 4,477,894).

3. Regarding Claims 1 and 10, Clurman shows (Figs. 1-3), an optical disk clamping device (2), comprising a diamagnetic member (36) (magnet), a turntable (32) supporting an optical disk, a magnet (26) (diamagnetic member) disposed between the diamagnetic member and the turntable, and a clamping member (20) disposed on the turntable to support the magnet, wherein a repellant force (Column 4, lines 1-29) is generated between the diamagnetic member and the magnet when the turntable rotates, making the magnet pushes toward the clamping member to fix the optical disk.

4. Regarding Claims 2 and 11, Clurman shows (Figs. 1-3), the optical disk clamping device wherein the turntable comprises a positioning portion (16) for supporting the clamping member.

5. Regarding Claims 5 and 14, Clurman shows (Figs. 1-3), the optical disk clamping device, further comprising a shaft and a retaining washer (See Examiner's Drawing), wherein the shaft passes through the magnet and the turntable, and the retaining washer connects to the shaft to restrain the magnet.

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6. Regarding Claims 7 and 16, Clurman shows (Figs. 1-3), the optical disk clamping device, wherein the clamping member (20) is an elastic member (18), and the repellent force is generated between the diamagnetic member and the magnet when the turntable rotates, deforming the elastic member to clamp the optical disk.

7. Regarding Claims 9 and 18, Clurman shows (Figs. 1-3), the optical disk clamping device, wherein the turntable further comprises a pad (See Examiner's Drawing) to support the optical disk.

Allowable Subject Matter

8. Claims 3,4,6,8,12,13,15, and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is (571) 272-7583. The examiner can normally be reached M-F, 6:00 am – 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, William Korzuch can be reached at (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 for regular and After Final communications.

Any inquiry of general nature or relating to the status of application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

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Mark Blouin

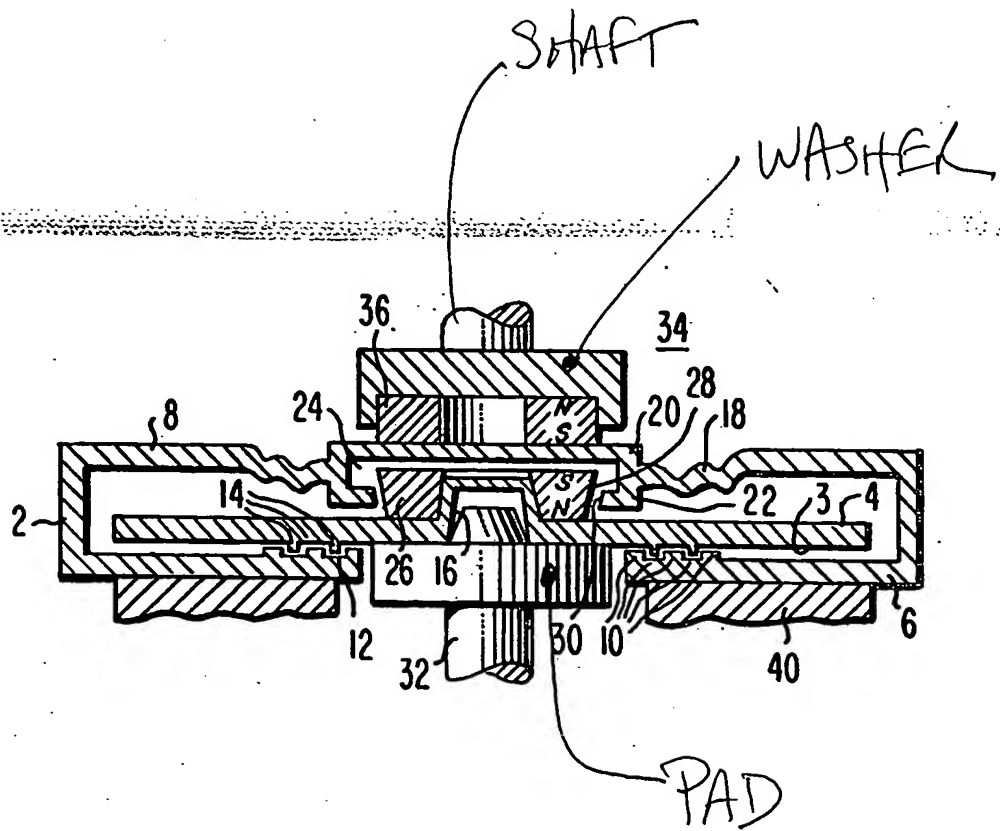
Patent Examiner

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September 26, 2005

A. J. HEINZ
PRIMARY EXAMINER
GROUP ~~2500~~ A. U. 2653





EXAMINER'S DRAWING